

ARTICLE XXVIII
ROAD AND STREET ORDINANCE

SECTION 28.01 INTENT AND PURPOSE

- A. The Planning Act authorizes planning which includes the general location, character and extent of streets, roads, highways, and recommendations for implementing any of its proposals. Once a basic plan has been adopted no road...shall be constructed or authorized in the Township...until the locations, character and extent thereof shall have been submitted to and approved by the Planning Commission.
- B. The intent of this ordinance is to provide a minimum standard for the design and construction for roads and streets in subdivisions, PUDs and any other private road [as defined in split ordinance] serving more than one single family dwelling. That are not being constructed under the specifications of the Leelanau County Road Commission - or higher standards. Subdivision plats recorded with the Register of Deeds under the Subdivision Control Act P.A. 288 of 1967, MCLA 560.101 et seq. The division/splitting/partitioning of any existing lot without providing for road access under the provisions of this ordinance will be prohibited. This ordinance shall also apply to any roads which are improved after the enactment date of the ordinance.
- C. This ordinance is not intended to cover single family residences, driveways, farm lanes or logging access roads.

SECTION 28.02 PERMITTING PROCEDURE

- A. Construction of any road subject to this ordinance shall not begin until a permit has been received from the Township Zoning Administrator. Application for the permit shall be made on a form promulgated by the Planning Commission, which may be obtained from the Zoning administrator. In addition, the applicant shall provide to the Zoning Administrator a topographical plan using design standards acceptable to the Zoning Administrator, which standards may vary depending on the nature of the proposed road and topography of the land.
- B. If the Zoning Administrator determines that it is necessary to have a registered engineer review any application (including plans, specifications, and/or construction practices) made under this ordinance, he or she may employ a registered engineer for that purpose, at applicant's expense. No permit shall be issued until such expense has been paid by the Applicant.
- C. The application fee shall be determined by the Township Board.
- D. A copy of the permit application shall be given to the Cedar Fire and Rescue Chief, and no permit may be issued without approval from the Fire Chief. The Zoning Administrator may also ask the Leelanau County Road Commission and/or the Leelanau County Drain Commissioner to review any application
- E. Any person applying for a road permit shall provide documentation and/or other assurances satisfactory to the Zoning Administrator insuring that maintenance and/or liability for any private road does not become the responsibility of the Township or the County. The Zoning Administrator may consult with the Township Attorney to be sure this requirement is fulfilled.
- F. Construction of any road accessing a county road shall have a Construction permit from the Leelanau County Road Commission. Permits shall also be required from the Leelanau